11 CAN TALKING ABOUT DIGNITY SUPPORT THE GROWTH OF A HUMAN RIGHTS CULTURE? A VIEW FROM SCOTLAND

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1. INTRODUCTION

In 2018 the leader of the Scottish Government established an Advisory Group on 'human rights leadership'. This was spurred by the political context of the United Kingdom leaving the European Union although the foundations had been laid over many years of advocacy by the national human rights institutions and civil society, and by legislative developments.[1] The First Minister's Advisory Group (hereafter 'the Advisory Group) was guided by principles of keeping pace with fundamental rights protections at European level, and by what was perceived as a timely ambition to demonstrate broader human rights leadership.[2] It reflected the pursuit of 'a programme of activity which places human rights, equality and human dignity at the heart of public policy in Scotland.'[3] It was a human rights strategy.

The first recommendation in the report of the Advisory Group gave rise to the research on which the analysis in this chapter is based. It wove a connection between the international and domestic human rights legal framework, recognition of the fundamental principle of respect for human dignity, the ownership of human rights by and for everyone, and human rights implementation in practice, all against the backdrop of a strategic shift towards the progressive development of a human rights culture:

> [Legislation] will establish a new framework of human rights to improve people's lives.
>
> It will set out for the first time and in the one place the rights belonging to everyone in Scotland. It will recognise that human dignity underpins all these rights and is the

[1] First Minister's Advisory Group on Human Rights Leadership Report, p 14-15
[2] First Minister's Advisory Group on Human Rights Leadership Report, Annex C. On the political context of the United Kingdom's constitutional arraignments and the impact on Scotland, see Jo Ferrie, Rebecca Wallace and Elaine Webster, 'Realising International Human Rights: Scotland on the global stage' (2018) 22 The international Journal of Human Rights 1
[3] First Minister's Advisory Group on Human Rights Leadership Report, Annex C, p 60

bedrock of society.

The development of the Act and the new framework of rights should follow a participatory process in which the public can lay claim to, take ownership of their rights and influence what needs to be done to ensure their practical implementation.[4]

The Advisory Group recommendations were endorsed by the Scottish Government. This led to the further elaboration of proposals via a National Taskforce for Human Rights Leadership, which was co-chaired by an independent member and government minister[5] and included a programme of stakeholder engagement.[6] In 2021, the report of the National Taskforce recommended that the legislation should explicitly reference its underpinning purpose: 'the intent of the legislation is to give maximum possible effect to human rights and recognise that human dignity is the value which underpins all human rights'.[7] The content of the framework would restate rights protected by the European Convention on Human Rights[8] and incorporate into domestic law in Scotland four international human rights treaties (the International Covenant on Economic, Social and Cultural Rights,[9] the Convention on the Elimination of All Forms of Discrimination against Women,[10] the Convention on the Elimination of All Forms of Racial Discrimination,[11] and the Convention on the Rights of Persons with Disabilities,[12] as well as a right to a healthy environment, and specific additional protections for older people and LGBTI people. The report made further recommendations to help secure effective implementation, including on government reporting, the provision of statutory and non-statutory guidance, and on the nature of duties to be placed upon relevant authorities.[13] The Scottish Government accepted all of the

[4] First Minister's Advisory Group on Human Rights Leadership, Recommendations for a new human rights framework to improve people's lives: Report to the First Minister (December 2018), p 31, https://humanrightsleadership.scot
[5] Scottish Government, National Taskforce for Human Rights: Leadership Report (March 2021), p 1-3 https://www.gov.scot/publications/national-taskforce-human-rights-leadership-report/documents/
[6] Scottish Government, National Taskforce for Human Rights: Leadership Report (March 2021), Annex E https://www.gov.scot/publications/national-taskforce-human-rights-leadership-report/documents/
[7] Scottish Government, National Taskforce for Human Rights: Leadership Report (March 2021), p 12, https://www.gov.scot/publications/national-taskforce-human-rights-leadership-report/documents/
[8] Council of Europe, European Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols Nos. 11 and 14, 4 November 1950, ETS 5
[9] UN General Assembly, International Covenant on Economic, Social and Cultural Rights, 16 December 1966, United Nations, Treaty Series, vol. 993
[10] UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249
[11] UN General Assembly, International Convention on the Elimination of All Forms of Racial Discrimination, 21 December 1965, United Nations, Treaty Series, vol. 660
[12] UN General Assembly, Convention on the Rights of Persons with Disabilities, 13 December 2006, A/RES/61/106
[13] Scottish Government, National Taskforce for Human Rights: Leadership Report (March 2021)

recommendations. At the time of writing (2022), legislation is being drafted, supported by a Human Rights Bill Governance and Engagement Advisory Board, an Executive Board and a Lived Experience Board, and will be subject to a public consultation.[14] All of this reflects a move towards developing a human rights culture, terminology which is repeatedly used in the report of the National Taskforce.[15] The Scottish context provides a contemporary window on a localised process of human rights practice and strategy.

To understand as fully as possible the idea and impact of human rights strategy, a granular picture of human rights practice is required. It is 'fine-grained'[16] understandings that paint a picture of the operational value (effectiveness and limitations) of international human rights law[17] and the way in which it becomes meaningful in practice in local contexts. In this chapter, I explore human rights strategy through the lens of human rights practice research undertaken on the human rights leadership process in Scotland.

In the first section, I map interconnections between 'human rights practice' and 'human rights strategy'. I outline how I use the term human rights practice, and situate the current approach within literature in this field. I discuss where 'dignity' fits within this discussion, drawing a link between dignity language and human rights strategy via the idea of 'human rights culture'. A core focus is on the perspectives of individual actors at the heart of localised human rights practice.

In the second section, I analyse aspects of qualitative data collected in Scotland, which explored dynamics of values engagement by civil society actors as an enabler or barrier to human rights localisation. I focus on a sub-set of findings which provide insights for understanding civil society actors' views of the role of dignity language in supporting the growth of a human rights culture. I highlight two key themes: the accessibility, openness and potential of dignity talk, and the contribution of dignity talk to a human rights culture.

In the final sections, I reflect on the insights from these themes for understanding

https://www.gov.scot/publications/national-taskforce-human-rights-leadership-report/documents/

[14] For an overview see Human Rights Consortium Scotland, 'Human Rights Incorporation in Scotland', https://hrcscotland.org/human-rights-incorporation-in-scotland/

[15] Scottish Government, National Taskforce for Human Rights: Leadership Report (March 2021), p 5, 19, 39, 45, 52 https://www.gov.scot/publications/national-taskforce-human-rights-leadership-report/documents/

[16] Lorenzo Cotula, 'Between Hope and Critique: Human Rights, Social Justice and Re-Imagining International Law from the Bottom Up' (2020) 48 Georgia Journal of International and Comparative Law 473

[17] Sally Engle Merry, 'Human Rights and Transnational Culture: Regulating Gender Violence Through Global Law' (2006) 44 Osgoode Hall LJ 53; Reza Afshari, 'Relativity in Universality: Jack Donnelly's Grand Theory in Need of Specific Illustrations' (2015) 37 Human rights quarterly 854; Kathryn Sikkink, *Evidence for Hope* (Princeton University Press 2017); Cotula, 'Between Hope and Critique: Human Rights, Social Justice and Re-Imagining International Law from the Bottom Up'

'human rights strategy'. I argue that *exploring human rights strategy through the empirical lens of localised human rights practice* provides valuable insights into the role of the value-base of human rights law, and perceived attributes of a strategically pursued human rights culture. At the same time, I suggest that *exploring localised practice around human rights law and values through the lens of the human rights strategy idea* foregrounds significant questions about the collective characterisation of the actors contributing to the development of human rights culture, and about the connection between strategy, language, and practice. This chapter thereby explores insights both for, and from, a human rights strategy perspective.

2. CONNECTING PRACTICE TO STRATEGY VIA DIGNITY AND CULTURE

Human rights practice is about the way that human rights are utilised. It is a perspective that is not confined to use within state-level and/or legal institutional settings. Goodale describes human rights practice as 'all of the many ways in which social actors across the range talk about, advocate for, criticize, study, legally enact, vernacularize, and so on, the idea of human rights in its different forms'.[18] Three strands of human rights scholarship from different and sometimes overlapping disciplinary perspectives (international politics, transnational anthropology and international law) have explored human rights practice. These strands of research have different foci – different actors, different dimensions of human rights discourse, and different geographical/social contexts. Politics research has explored ways in which states and international advocacy actors and networks in the arena of international politics contribute to human rights impact.[19] This work tends to focus on top-level, horizontal transactions. Anthropology research has explored the circulation of ideas and meaning-making within human rights as a transnational social practice.[20] Notably, this

[18] Mark Goodale, 'Locating Rights, Envisioning Law between the Global and the Local' in Mark Goodale and Ally Engle Merry (eds), *The Practice of Human Rights: Tracking Law between the Global and the Local* (Cambridge University Press 2007) 24

[19] Margaret E Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Cornell University Press 1998); Thomas Risse, Stephen C. Ropp and Kathryn Sikkink (eds), *The Power of Human Rights: International Norms and Domestic Change* (Cambridge University Press 1999); Ellen L. Lutz and Kathryn Sikkink, 'International Human Rights Law and Practice in Latin America' (2000) 54 International Organization 633; Todd Landman, *Protecting Human Rights: A Comparative Study* (Georgetown University Press 2005); Shareen Hertel, *Unexpected Power: Conflict and Change among Transnational Activists* (Cornell University Press 2007); Beth A. Simmons, *Mobilizing for Human Rights. International Law in Domestic Politics* (Cambridge University Press 2009); Emilie M. Hafner-Burton, *Making Human Rights a Reality* (Princeton University Press 2013)

[20] Mark Goodale, 'Toward a Critical Anthropology of Human Rights' (2006) 47 Current Anthropology 485

research has conceptualised processes of ‘vernacularisation’ in which transnational human rights discourse moves between transnational fora and grassroots social movements.[21] International law research on human rights practice originated in an international law and development perspective, in juxtaposition with the acknowledgement of processes of economic globalisation[22] and in critiques of the Western hegemony of international law.[23] International law research has recently developed into a focus on ‘localised’ ownership of international law by a range of actors, to include small-scale policy organisations,[24] local governance institutions,[25] social institutions like religion,[26] and generally the ‘users’ of international human right law.[27] The approach that I take falls into this latter category of international law research. It attends to different actors’ engagement with human rights, with a particular focus on the progressive implementation of law. A focus on progressive implementation aims to understand the transformative potential of the mechanics of implementation of human rights law in local contexts.[28]

In this chapter, I explore human rights actors’ local ownership of human rights law and human rights values. The connection to values was motivated by Merry, Levitt, Rosen and Yoon’s socio-legal research on the accessibility of the human rights framework to grassroots activists in the United States. Merry et al. distinguished between human rights values, law and governance and suggested that it was the values dimension which made the

[21]E.g. Sally Engle Merry, 'Transnational Human Rights and Local Activism: Mapping the Middle' (2006) 108 American Anthropologist 38; Merry, 'Human Rights and Transnational Culture: Regulating Gender Violence Through Global Law'; Goodale, 'Toward a Critical Anthropology of Human Rights'; Mark Goodale and Sally Engle Merry, *The Practice of Human Rights: Tracking Law between the Global and the Local* (Cambridge University Press 2007); Daniel M Goldstein, 'Whose vernacular? Translating human rights in local contexts' (2013) Human Rights at the Crossroads 111

[22] Koen De Feyter, *Human Rights: Social Justice in the Age of the Market* (Bloomsbury 2005); Koen De Feyter and others, *The local relevance of human rights* (Cambridge University Press 2011)

[23] Balakrishnan Rajagopal, 'Counter-hegemonic International Law: Rethinking Human Rights and Development as a Third World Strategy' (2006) 27 Third World Quarterly 767

[24] Elaine Webster and Deirdre Flanigan, 'Localising human rights law: A case-study of civil society interpretation of rights in Scotland' (2018) 22 International Journal of Human Rights 22

[25] Barbara Oomen and Moritz Baumgärtel, 'Frontier Cities: The Rise of Local Authorities as an Opportunity for International Human Rights Law' (2018) 29 European Journal of International Law 607

[26] Julie Fraser, 'Challenging State-centricity and Legalism: Promoting the role of social institutions in the domestic implementation of international human rights law' (2019) 23 International Journal of Human Rights 974; Julie Fraser, *Social Institutions and International Human Rights Law Implementation: Every organ of society* (Cambridge University Press 2020)

[27] Eva Brems and Saïla Ouald-Chaib (eds), *Fragmentation and Integration in Human Rights Law* (Edward Elgar Publishing 2018)

[28] Webster and Flanigan, 'Localising human rights law: A case-study of civil society interpretation of rights in Scotland'; Fraser, *Social Institutions and International Human Rights Law Implementation: Every organ of society*; Elaine Webster and Elisa Morgera, 'Transformative Capacity Building Around the Right to A Healthy Environment: What role for ‘dignity' as a human rights value?' (2020) 9 Griffith Journal of Law & Human Dignity 55

human rights framework accessible.[29] If values can open a door to the utilisation of human rights law, they are relevant for understanding human rights implementation. I have elsewhere examined respect for human dignity as a fundamental value within human rights law interpretation[30] and have examined how civil society actors in Scotland have talked about the legal dimensions of human rights.[31] Both of these perspectives, combined with the prominence of dignity language in Scottish human rights discourse, raise a question about the impact of civil society actors engaging with dignity language: what kind of impact might engaging with dignity language have on realisation of the Scottish ambition of a human rights culture?

Dignity is a core element of the 'value base'[32] of international human rights law. Indeed, we might say that talking about the conceptually malleable idea of 'dignity' was the original human rights strategy. Scholars have examined the role that the dignity idea played in securing consensus amongst representatives of diverse states during the drafting of the Universal Declaration of Human Rights.[33] The word has become synonymous with a shared vision for a universal human rights culture. The preamble of the Universal Declaration of Human Rights singles out dignity alongside human rights as the 'foundation of freedom, justice and peace in the world'.[34] The inception of the international human rights regime was strategy on a grand scale, with the language of dignity embedded within its vision.

An association between dignity, strategy and culture is most visible in the field of human rights education.[35] From the mid-1990s, human rights education was defined as 'training, dissemination and information efforts aimed at the building of a universal culture of

[29] Sally Engle Merry and others, 'Law from below: Women's human rights and social movements in New York City' (2010) 44 Law & Society Review 101
[30] Elaine Webster, 'Interpretation of the Prohibtion of Torture: Making Sense of 'Dignity' Talk' (2016) 17 Human Rights Review 371;
[31] Webster and Flanigan, 'Localising human rights law: A case-study of civil society interpretation of rights in Scotland'
[32] Merry and others, 'Law from below: Women's human rights and social movements in New York City'
[33] E.g. David Walsh, *The Third Millennium: Reflections on Faith and Reason* (Georgetown University Press 1999) 98; Doron Shultziner, 'Human Dignity – Functions and Meanings' (2004) 3 Global Jurist 3 5; Christopher McCrudden, 'Human Dignity and Judicial Interpretation of Human Rights' (2008) 19 European Journal of International Law 655 677; Jenna Reinbold, 'Political Myth and the Sacred Center of Human Rights: The Universal Declaration and the Narrative of "Inherent Human Dignity"' (2010) 12 Human Rights Review 147 164; Glenn Hughes, 'The Concept of Human Dignity in the Universal Declaration of Human Rights' (2011) 39 Journal of Religious Ethics 1 4.
[34] United Nations General Assembly, Universal Declaration of Human Rights, 10 December 1948, 217 A (III), Preamble.
[35] Early examples in human rights education scholarship are Betty A. Reardon, *Educating for Human Dignity: Learning About Rights and Responsibilities* (University of Pennsylvania Press 1995) and Felisa Tibbitts, 'On Human Dignity: The need for human rights education' (1996) 60 Social Education 428

human rights through the imparting of knowledge and skills and the moulding of attitudes and directed to: (a) The strengthening of respect for human rights and fundamental freedoms; (b) The full development of the human personality and the sense of its dignity […]'.[36] This definition of human rights education is reiterated in the subsequent World Programme for Human Rights Education Plans of Action.[37] In a foreword to a joint booklet on the World Programme's Second Phase Plan of Action in 2012, the UNESCO Director General and UN High Commissioner for Human Rights observed that human rights education 'contributes to protecting the dignity of all human beings and to building societies where human rights are valued and respected'.[38] In this context dignity language is tied up with human rights culture and denotes an end goal of the human rights regime.[39]

The term 'culture' as I use it in this chapter is closer to its use in the human rights education context than to its use in other areas of human rights theory and practice research. Outside of the human rights education context, human rights scholarship tends to present culture as a starting point, rather than an end point. Culture is presented as a jigsaw puzzle which encompasses diverse perspectives, practices and actors, and which is continually under construction. From this perspective, human rights law is like a series of differently sized pieces that (might) fit within this puzzle.[40] The human rights education perspective is different: culture is described in the UN Declaration on Human Rights Education and Training as an environment in which 'the development of the individual as a responsible member of a free, peaceful, pluralist and inclusive society' is promoted.[41] This is an end

[36] United Nations Secretary General, *Preparation of a plan of action for a United Nations decade for human rights education: Report of the Secretary-General*, 14 November 1994, Annex, para. 2; United Nations General Assembly, *Report of the United Nations High Commissioner for Human Rights on the implementation of the Plan of Action for the United Nations Decade for Human Rights Education*, 12 December 1996, A/51/506/Add.1, para. 2

[37] See United Nations General Assembly, *Revised draft plan of action for the first phase (2005-2007) of the World Programme for Human Rights Education*, 2 March 2005, A/59/525/Rev.1, Annex, para. 3; United Nations General Assembly, Human Rights Council, *Draft plan of action for the second phase (2010-2014) of the World Programme for Human Rights Education*, 27 July 2010, A/HRC/15/28, para. 3; United Nations General Assembly, Human Rights Council, *Plan of Action for the third phase (2015–2019) of the World Programme for Human Rights Education*, 4 August 2014, A/HRC/27/28, para. 4

[38] United Nations Office of the High Commissioner for Human Rights and United Nations Educational, Scientific and Cultural Organization, World Programme for Human Rights Education: Second Phase Plan of Action, 2012, p. iii, available at: https://unesdoc.unesco.org/ark:/48223/pf0000217350

[39] See UN Office of the High Commissioner for Human Rights, Human Rights Education Associates, Soka Gakkai International, 'A Path to Dignity: The Power of Human Rights Education' film, 2012, available at: http://pathtodignity.org/

[40] For a recent overview of international human rights' 'cultural connections', see Fraser, *Social Institutions and International Human Rights Law Implementation: Every organ of society*

[41] United Nations General Assembly, United Nations Declaration on Human Rights Education and Training, Resolution adopted by the General Assembly on 19 December 2011, A/RES/66/137, Art. 4(b)

point, or a vision,[42] not a starting point. Rather than the jigsaw puzzle itself, we might describe a human rights culture as a completed puzzle. While both are relevant for understanding human rights practice, in this chapter 'culture' refers to the human rights ideal vision. And if human rights culture is a goal, its pursuit depends on having in place strategies. Strategy can then be illuminated by the empirical study of its strategists in their contexts of practice.

3. DIGNITY TALK AND THE DEVELOPMENT OF A HUMAN RIGHTS CULTURE: THE SCOTTISH EXAMPLE

The research in Scotland examined the views of civil society actors about dignity and, in light of the work of the National Taskforce, about whether dignity was a useful value for promoting the relevance of international human rights law for their personal lives, for their work and for a wider culture of human rights.[43] The research, which took place between 2020 and 2021, examined the views of people working in a range of civil society organisations across varied sectors (for example working with children and young people, women, disabled people, migrants, and others) and from a range of geographical locations in Scotland. The views of civil society actors on how engagement with dignity language might influence the projected growth of a human rights culture are instructive because they are active contributors within the Scottish human rights community.[44] In order to understand the perceptions of dignity and human rights by individual actors, observational and interview methods were used.[45] The research was conducted using participant observation at a civil society event (with observation sheets completed during and directly following the event, supported by a research assistant to provide more than one perspective on the observation), twenty-one individual semi-structured interviews and five similar follow-up interviews.[46] Building on the observation guide and interview questions, recurring codes were allocated –

[42] Merry, 'Human Rights and Transnational Culture: Regulating Gender Violence Through Global Law'
[43] Preliminary findings were presented at the Association of Human Rights Institutes conference in August 2021 and a research report was published for Scottish civil society and Scottish Government stakeholders in March 2022. Aspects of the discussion of key themes below are reproduced from the report, available at https://www.strath.ac.uk/media/1newwebsite/departmentsubject/law/cshrl/Can_Talking_about_'Dignity'_Support_the_Growth_of_Human_Rights_Culture'.pdf
[44] Ferrie, Wallace and Webster, 'Realising International Human Rights: Scotland on the global stage'
[45] Data collection was conducted online as the research took place during the 2020-2021 Covid-19 pandemic.
[46] Interviews were recorded and professionally transcribed, and the analysis was supported by the use of NVIVO software.

some observational (how participants approached the topics of discussion) and others substantive (what participants said) and the data was organised through this process. Connected codes were then grouped into a smaller number of key themes. I discuss two such themes in this section: participants' views of the potential of dignity talk, and participants' views of the contribution of dignity talk to a human rights culture.

Throughout the research and analysis process I have aimed to be reflexive about my own practice as an actor within the human rights community in Scotland, talking about, advocating and examining the use of international human rights language.[47] I transparently adopt the position that furthering the realisation of internationally recognised human rights in the Scottish context would be a beneficial step. More particularly, I have supported the process of understanding the risks and benefits of including reference to dignity as the underpinning value of the proposed new human rights framework. Indeed my previous research on dignity and human rights practice led to research in support of the National Taskforce for Human Rights Leadership and further shaped the nature of the questions being asked in this research.[48] However, I had no expectation that dignity talk could positively support the growth of a human rights culture. While some values, such as equality, might conceivably make human rights law more accessible to non-legal actors, the impact of talking about dignity specifically was not obvious because of its notoriously indeterminate meaning. Instead, I aimed to gain insight into risks and opportunities of dignity talk in the Scottish context, ultimately to inform human rights advocacy strategies. As an approach it is somewhere in the middle of a 'divide', as described by Goodale, between 'establishment' and 'alternative' human rights scholarship:[49] it aims to understand and inform implementation of human rights within a specific context by focusing on utilisation of the language of human rights law and values, in practice, by a range of non-state actors.

3.1 The Potential of Dignity Talk

[47] Upendra Baxi, *The Future of Human Rights* (Oxford University Press 2002) x
[48] Elaine Webster, 'The Underpinning Concept of Human Dignity', Academic Advisory Panel to the National Taskforce on Human Rights Briefing Paper (Briefing Paper, June 2020) https://www.gov.scot/publications/national-taskforce-for-human-rights-leadership-academic-advisory-panel-papers/
[49] Mark Goodale, 'Afterword: Our Vernacular Futures' in Sallly Engle Merry and Tine Destrooper (eds), *Human Rights Transformation in Practice* (University of Pennsylvania Press 2017) 252

People 'get' dignity

The research participants overwhelmingly saw the idea of dignity as language that people intuitively grasp, more so than legalistic language. This was despite the fact that most participants indicated that they had not previously reflected on the idea of dignity. The participant observation took place during an online meeting of around thirty-five civil society actors, across a broad range of sectors, organised by a civil society organisation on behalf of the National Taskforce for Human Rights Leadership. The purpose of the meeting was to share developments in the work of the Taskforce, to provide an update on rights-holder engagement plans, and to explore two substantive topics relevant to the Taskforce discussions: access to remedy and justice, and the proposed underpinning values of the future human rights framework. On this latter topic, two specific questions were asked: (1) What does human dignity mean to you? From the perspective of your own organisation, would the inclusion of human dignity as an underpinning value be a useful resource to draw on? Why or why not?; (2) Which other underpinning values do you associate with human rights? In which sense might these be useful? Two breakout groups were randomly chosen for observation. Discussion across both groups was characterised by optimism and positive energy around the dignity idea, even if dignity, and values more generally, had been the focus of little attention amongst participants in the groups. In one group, for example, the majority said that they had never thought about the idea of dignity before. One participant described the discussion as having prompted them to 'grapple' with the idea; another said that they had searched for the word 'dignity' online prior to the meeting. Despite dignity language having not been prominent in participants' awareness, there seemed to be an adaptation to using the language of dignity. In both groups, participants linked the dignity idea to contexts that they were familiar with from their professional practice (some appeared to see a clear link – for example to work with children – whilst others did not immediately see a clear link – for example to work on environmental protection). In a sense, participants were taking the opportunity to make points from the perspective of their organisational advocacy agendas, but they also appeared to embrace dignity language. Notably, there were examples of linking dignity language to cross-cutting issues, not linked to specific organisational agendas such as issues of stigma, and approaches to redress mechanisms. Also notable was that some participants referenced dignity in subsequent discussions later in the meeting, explicitly referring back to the earlier dignity discussion. Participants also shared ample thoughts on the meaning of dignity (see below). Given that dignity language appeared to be relatively

unfamiliar at the outset, the way in which participants swiftly engaged with its meaning and connected it to some specific and general issues of concern itself suggests that the language was accessible.

In-depth interviews also showed a similar dynamic of embracing the language of dignity, even if the majority of participants had not previously considered it. A minority of participants had used, or heard, the word dignity in their work. These participants talked confidently about dignity and rooted their understanding in their own or others' experiences of dignity violations. One participant, whose organisation explicitly used the language of dignity in their work, noted early in the interview: '[…] when your dignity is undermined, you never forget. When your dignity is undermined, it leaves a scar that shapes the rest of your life' (Interview 9). The express use of dignity language in this participant's organisation had been promoted by engagement with communities. Participants who worked with, or were part of, minority or historically marginalised groups were those who seemed to have reflected on the dignity idea before; one noted: '[…] you absolutely get it when you're a member of a minority group' (Interview 2). For the majority, however, engaging with the language of dignity had been promoted by discussions around the new legislation and/or their interview participation. One participant, who had taken part in the civil society event at which dignity and values had been discussed, said about the conversation there:

> I remember us all circling a definition but that we had a sense - there was quite a lot of consensus, given that I think some of us said we don't think about this a lot or hadn't thought about it much before. […] I found it really - like I did think about it for a few days afterwards, like, why have I never thought about this concept […]? (Interview 6)

Interviews also confirmed that the majority of participants nevertheless saw dignity language as accessible. Participants described the dignity idea as 'something that people can understand' (Interview 1). Several noted an intuitive knowledge around dignity, in particular when experienced or witnessed in the negative. For example: 'I think what dignity does is place it with the individual. So someone might not be able to spell the word dignity or explain it but they know when they've been treated with dignity. […] when you haven't been treated with dignity, the feelings are real' (Interview 2); 'I think dignity is something that people can understand. I think, unfortunately, it's something that is probably recognised more in the absence than in the realisation' (Interview 4); '[…] [the community] understood what dignity looked like when they experienced it. But I suppose it was more the reverse. What

they were very much aware of was that they hadn't experienced that' (Interview 18). Dignity language was seen as something that 'tapped into' (Interview 7) a shared, instinctive understanding. Even in contexts where the word dignity was not commonly used or heard, it was perceived to be resonant on the basis of an intuitive, experiential familiarity.

Knowing and not knowing dignity

Some participants immediately talked about the meaning of dignity confidently, while others were initially more hesitant, which likely reflected the fact that the interview was, for many, the first time they had been asked what dignity meant to them. A key point that emerged was that dignity had a comprehensible but not closed meaning: that it was a decipherable but not determinate idea. Participants saw this duality as part of the power of dignity language, allowing for connections to be drawn to, and between, personal experiences.

Some participants described the dignity idea as, for example, 'abstract' (Interview 12) and 'fuzzy' (Interview 6). It was something known but hard to pin down. For example: '[…] I think if I was to give a description of what dignity is, I'd find it quite difficult actually. I don't know. There's something much more instinctive about it […]' (Interview 7). One participant talked about dignity in terms of a 'profoundly felt experience' (Interview 2). There was a significant variety of responses when participants were asked how they would describe the meaning of dignity. They referred to the nature of dignity as something that could be given to someone, or recognised in or by someone; as something that could be taken away, lost, or undermined; and as something that people sought. Participants associated the idea of dignity with a wide range of concepts and experiences, referring to ideas including absence of shame, agency, choice, citizenship, equality, facing adversity, fairness, humanity, integrity, power, pride, recognition, respect, uniqueness, voice, and value.

There was no single meaning associated with the word dignity, but there was commonality among the different ways of talking about it. Across the range of conceptual associations, dignity was associated with a minimum baseline of treatment, having control over one's life, and individual experiences. It was described as something expressed through relationships; both self-regarding (in the sense of self-respect and perceptions of oneself) and other-regarding (in the sense of treatment towards others and treatment by others towards oneself). Therefore, while there was a variety of ideas linked to dignity, the interview

participants could all say how they understood it, again despite many having never reflected on the question before. The ‘unquantifiable’ (Interview 17) nature of dignity actually emerged as an asset for allowing people to draw on their own experiences as a way towards talking about human rights.

Dignity as a bridge

A small minority of participants identified specific risks with invoking dignity language in the context of human rights law. One risk related to a lack of consensus in dignity’s meaning which left it open to manipulation. Participants suggested that talking about dignity *and* human rights risked leading to confusion, or that dignity talk risked being politicised in populist rhetoric, as human rights language had been. Two participants identified a second risk related to the high stakes of conversations in which some people might be seen as undeserving of dignity respect. Both referred to negative media around human rights and were concerned about the possibility of a view that certain individuals or groups were not deserving of respect for dignity: ‘[…] it’s about whether or not people think that everybody in society is worthy of consideration of dignity or not […]’ (Interview 11). They saw this as a dangerous conversation. It was felt that if people were already sceptical about human rights, talking about dignity might intensify that scepticism. Another participant described having observed dignity talk being used to buttress extreme views. During the conversation, however, some of these participants came to suggest that dignity talk might be more accessible than talking about human rights law, as a way towards having conversations around the universal nature of human rights: ‘[…] dignity might work actually more than human rights […] so maybe making the linkage much more clearly would actually help that discussion’ (Interview 7).

Participants tended to see dignity talk as having potential to coalesce people around a shared commitment to human rights. Participants described dignity language as a ‘bridge’ and a ‘gateway’ (Interview 2) to the legal human rights framework, and as a ‘conversation starter’ (Interview 17) or ‘conversation lead’ (Interview 19). One described it as having ‘more heart’ than talking about law (Interview 19) and another as resonant with the way that people generally navigated ‘the moral universe’ (Interview 6), which enabled it to draw people into human rights. In this respect, it was seen to fare better than legalistic language; for example, it was described as making ‘a lot more sense to people than rights holders, duty bearers,

international obligations' (Interview 6), and as part of an embedded sense of morality:

> I think if you say to people, can you define human rights, a lot of people would go, eh, no I haven't got a clue. But do you know how you would want to be treated and what you would regard as appropriate treatment and most people have a compass that includes that. (Interview 15)

One participant's view was that 'talking about the underpinning principle and empowering people is the most important way to go and you can only do that by values' (Interview 1). A prominent thread, relevant to the idea of dignity language acting as a bridging concept to human rights, was the idea of connections – dignity talk was seen as a way of potentially building connections between people and human rights law, as well as between people. It was seen to bring human rights law 'closer to where people are' (Interview 4); in a sense, to humanise law and to humanise relationships on which the implementation of rights depended.

3.2 The Contribution of Dignity Talk to a Human Rights Culture

Audiences

The extent to which participants perceived dignity talk as strategically useful depended on who they would be speaking to. Participants tended not to explicitly differentiate between different audiences, but several patterns emerged in the data. Participants and their organisations reflected the diversity of civil society: some were focused on community-based work, some on individual advocacy, some on member engagement, some on training of human rights duty bearers, some on influencing national-level policy makers, and many had strands of work directed at a number of audiences. The main categories of audience for civil society organisations were the general public, community-based organisations, and duty bearers (in both individual and institutional senses). A key dimension implicit in the interviews was the significance that participants placed on methods of communication.

For communications with the general public, participants perceived dignity language as useful from a human rights education perspective. Several noted that people in Scotland generally did not understand human rights. Several also referred to negative portrayals of human rights from some party political perspectives and in some sections of the media, which had created a 'fear culture' (Interview 1) around human rights. Dignity talk was seen to have

potential to build wider public awareness. For communications with community-based organisations or, for membership-based organisations, with lived experience members, participants also saw dignity language as a potential resource. These communications were aimed at building capacity in human rights relevant knowledge and skills and/or developing policy positions relevant to human rights. Participants often referred to these audiences as already having some awareness of human rights law (typically sector-specific knowledge rather than across-the-board human rights knowledge), and saw an opportunity to provide a baseline of knowledge, which could be built upon as and when organisations needed, by using the non-legalistic language of dignity as a way of increasing human rights capacity. One participant, referring to intermediary community-based organisations, saw dignity language as a potential mechanism for such organisations to build capacity at a grassroots level. It was felt that at this level, like for the general public, dignity language could act as an anchor for developing awareness of the existence of human rights law in Scotland.

The most discussed audience in the interviews was human rights duty bearers. In interactions with this audience, participants overwhelmingly valued the ability to highlight the legal dimension of human rights, which they associated with striving for accountability. The potential of dignity language was significantly less attractive in respect of this audience than for the general public or community-based organisations. Instead, there was a distinct preference for keeping the legal framework front and centre. The law was seen as a safety net and the threat of judicial accountability seen as critical. One participant observed that duty bearers might indeed prefer the ‘warm bath’ of dignity talk, whereas what was effective for rights holders was the ‘spikey pointy stick’ (Interview 6) of the law.

At the same time, some participants situated individual duty bearers within broader perspectives as not only duty bearers, but also as members of the public and rights holders, as well as members of organisational work cultures. One participant, for example, referred to Western cultural ideals of rational versus emotional professionalism and described the separation of work and personal views as ‘an imagined boundary’ (Interview 10). Another participant with significant experience of organisational leadership, and who had a particular interest in creating positive organisational cultures, was of the view that a pretence of rigid separation between personal and professional values only led to internal conflict. With this focus on duty bearers as people rather than as institutions, dignity language was seen to have the most potential to support the growth of a human rights culture. There was a definite sense amongst all participants that that those working for duty-bearer organisations could engage

effectively with dignity language. One participant also referenced why it was important - if we talk about dignity with rights holders, we should talk about it with duty bearers to avoid reinforcing unequal power dynamics:

> I would use the same language […] because I think if you start then talking a different language with civil servants or people in service provider roles, then you just continue that divide and that kind of power imbalance. So if we're using that language with communities and rights holders but this is the real language we're using with the guys who make the decisions […] that just exacerbates the divides that are already there. (Interview 3)

Many spoke of intentionally emotive approaches that they themselves used when delivering training and suggested that talking about dignity with duty bearers could be powerful if given adequate space and time. The advantage was in connecting to some sense of shared experience, which could help put 'the bureaucratic mindset' (Interview 15) into perspective. These views pointed towards a sense that humanising relationships with duty bearers was seen to be important. The way that participants talked about the potential of dignity language as they reflected on different audiences indicated that they saw dignity as likely to serve different purposes for, or in relation to, different people, depending on where they were positioned. All of these engagements, however, were seen as capable of contributing in some way to progressing a human rights culture.

Attributes of a human rights culture

One participant suggested that dignity talk 'might be a good way to soften the perception of human rights, which will hopefully then change attitudes and culture and practice' (Interview 8). Features of a human rights culture were indirectly visible when participants shared their views on barriers to creating a human rights culture. A human rights culture would include recognition of past wrongs, trying to dislodge what were described as gatekeepers clinging to power, and empowering not only leaders or front line workers but also middle-level management within organisations responsible for implementing human rights law. Bringing dignity language to the human rights table could potentially mean that:

> [T]he people who hold power can understand what the impact of their decisions are on people's self-worth, dignity, self-respect […]. So when you start using that kind of language, you start to humanise the system a bit more. (Interview 3)

When asked what a human rights culture in Scotland looked like to them, participants associated this with accessible routes for escalating human rights-based complaints, openness to challenge and proactive improvement by local human rights duty bearers, common goals and collaboration, inclusivity, and the normalisation of human rights in public discourse.

The legal framework was seen as a core part of a human rights culture. There was a clear view that for duty bearer engagements, the law in human rights would always remain central, even in the presence of more dignity talk. Routes to escalating challenges via adjudication would be feasible and accessible. Some participants implied a need for a degree of openness to challenge on the part of local human rights duty bearers: 'You definitely need both and you need human rights not in some sort of defensive, make sure you don't end up in court on the wrong side of a judgement kind of way but much more positive proactive kind of understanding of human rights' (Interview 7). One participant, referring to 'learning organisations', described a need for organisations to be 'open to change, challenge, learning and opportunity' (Interview 19). This participant made a further link to the idea of proactive improvement: 'it's about building confidence rather than just competence. Because you know it isn't enough, because you understand it and you're confident with it, you can engage with it and you can learn from it […]' (Interview 19). A willingness to collaborate amongst all actors was highlighted, in pursuit of a common purpose. For example, one participant noted a need to focus on collaboration around rights implementation rather than rights holders' understandable 'natural reaction' of confrontational demand 'which doesn't actually help people to collaborate and develop' (Interview 3). A human rights culture would be characterised by environments of mutual respect, trust and dialogue. One participant said that a human rights culture 'has to be relational, it has to be about connecting' (Interview 12). Several referred to people being at the centre of practice as part of the way that human rights would be implemented. Participants noted inclusivity as a feature of human rights culture, in the sense of 'nobody left behind' (Interview 14) but also in a deeper sense of encouraging an inclusive sense of shared humanity. This deeper sense came across when participants spoke about the potential impact of dignity talk and a human rights culture for individuals' sense of self. For example:

> I think if you respect someone's dignity and speak to someone with respect and recognise their humanity, they also then internalise that and start to think, maybe I do deserve this, maybe I should be treated differently even if they never have been before. So I think it's really powerful to help people also change their own self-

perception. (Interview 12)

A key attribute of a human rights culture, which traverses all of these dimensions, was seen as the normalisation of talking about human rights in public discourse. Human rights would be normalised as 'part and parcel of the national conversation' (Interview 16) and embedded in everyday discourse at a different intensity depending on who is engaged and why. Applying a human rights lens would be routine: 'I think it would be a culture in which human rights were understood by everyone, duty bearers, rights holders and that people just really used them as part of the discourse or just their everyday world' (Interview 6). As one participant said, a change in organisational culture, on which a human rights culture depended, 'isn't going to happen by legislation getting signed off by the Queen' (Interview 17). Talking about dignity was seen as 'a useful way of being able to access' a 'collective sense of understanding' (Interview 4) of human rights, which was in turn seen to be the basis of a human rights culture.

4. A HUMAN RIGHTS PRACTICE LENS ON HUMAN RIGHTS STRATEGY

This exploration of human rights strategy through an empirical lens on localised human rights practice provides insights for understanding the operationalisation of human rights strategy from the perspective of contributing actors. In the Scottish example, we see a granular picture emerge of ways in which a range of civil society actors are engaged in a strategic process of human rights law implementation and the significance of language therein, and how they perceive the end goal of a human rights culture.

The findings support the insight of Merry et al. that the value base of human rights is more accessible to non-legal experts than the legal dimensions of human rights. However, the perception that dignity talk could act as a bridge towards human rights law points towards a closer relationship between values and law than a distinction between human rights *values* on the one hand, and human rights *law* on the other hand might suggest. If law remains central to the implementation of human rights, as was the view of the (non-lawyer) participants in this research, it is significant to understand how these human rights actors come to engage with it. The research indicates that talking about values has potential to contribute to a sense of local ownership.

Merry et al. did not examine specific human rights values. Arguably, the fundamental

value of respect for dignity holds special potential as part of localisation processes. The Scottish context was a prime testing ground for this particular value because of its prominence in the human rights leadership discourse, but its prominence in international human rights law means that the power of dignity language has potential to translate to other contexts of international human rights law implementation. The Universal Declaration of Human Rights propelled dignity, as Hughes describes it, 'to the center of international and political discourse'[50] as the foundational human rights value. As such, the influence of dignity talk on human rights implementation is potentially far-reaching. Further, the substance of the dignity idea itself can also be far-reaching. In other work, I have described the meaning of dignity as concerned with social relationships, including power dynamics.[51] However dignity is understood by individual actors, it fundamentally concerns self-respect and recognition of shared human status, both of which are embedded in social relationships.[52] As such, this particular language might helpfully draw attention to power dynamics amongst the range of human rights actors. Power is not only about empowerment, in the sense of the capacity to wield tools and resources to effectively assert human rights, but about power *between* actors (duty bearers and rights holders), and *within* groups of actors. This reflects a central insight from the field of human rights practice research - that understanding the effectiveness of human rights law depends on understanding relational power amongst a range of actors engaging at multiple levels of interaction.[53]

The research also demonstrates that language itself has power. Dignity is again of specific interest as this single word has a communicative power, reflected in the enduring appeal and familiarity of dignity language despite/because of its indeterminacy. Language is able to exert influence at the same time as saying something about the power of those who use it.[54] And if language reproduces power hierarchies,[55] it has potential to disrupt those hierarchies. Dignity talk has particular potential to signify the 'equal high ranking status'[56] of all contributors within a human rights culture. The research suggests that the 'linguistic

[50] Hughes, 'The Concept of Human Dignity in the Universal Declaration of Human Rights'
[51] Elaine Webster, *Dignity, Degrading Treatment and Torture in Human Rights Law: The Ends of Article 3 of the European Convention on Human Rights* (Routledge 2018) 64
[52] *Ibid.*
[53] Steven J. Stern and Scott Straus, 'Introduction: Embracing Paradox: Human Rights in the Global Age' in Steven J. Stern and Scott Straus (eds), *The Human Rights Paradox* (University of Wisconsin Press 2014)
[54] Sik Hung Ng and Fei Deng, 'Language and Power', *Oxford Research Encyclopedia of Communication* (Oxford University Press 2017)
[55] Ibid
[56] Jeremy Waldron, 'Dignity and Rank' (2007) 48 European Journal of Sociology 201 235; Jeremy Waldron, 'Dignity, Rank, and Rights' in Meir Dan-Cohen (ed), *Dignity, Rank, and Rights, The Berkeley Tanner Lectures* (Oxford University Press 2012) 14

landscape',[57] and the way in which human right actors connect to the specific characteristics of legal language[58] (in this case, legal human rights language), is significant for understanding human rights strategy.

The research findings also provide insight into what the end goal of human rights strategy actually looks like from the perspective of actors in one specific context. As described earlier, if human rights constitute pieces that are added to the culture jigsaw, a 'human rights culture' is a vision for how part of the puzzle will take shape. Research participants' visions for their localised human rights culture indeed resembled something of a puzzle - participants referred to certain perspectives and practices that would have to be re-placed and made right in order to have a clear view of how to proceed; many different elements and actors would need to then come together, including the legal framework and access to justice, openness on the part of stakeholders to proactively seek progress, and the identification of mutual connections that would be built upon in a way that would recognise the important roles of different actors. When this would come together, the picture would continue to evolve but all of the pieces would be taking part, and know that they were taking part, in a common endeavour. Looking closely at the progressive localisation of human rights in practice, we can see the purpose of a human rights strategy.

5. A HUMAN RIGHTS STRATEGY LENS ON HUMAN RIGHTS PRACTICE

In addition to a human rights practice lens providing insights for understanding human rights strategy, the strategy lens equally provides insights for understanding practice. I argue that exploring localised practice around human rights law and values through the lens of the human rights strategy idea brings to light significant questions that it would be fruitful to explore in future work. One is about the collective characterisation of the actors involved, and one is about the connection between strategy, language and practice.

In the Scottish discourse, the march of human rights is described as a 'journey'.[59] How should we characterise the nature of the travellers on this journey towards, as one

[57] Rodrigue Landry and Richard Y. Bourhis, 'Linguistic Landscape and Ethnolinguistic Vitality: An empirical study ' (1997) 16 Journal of language and social psychology, 23
[58] See Elizabeth Mertz, William K. Ford and Gregory Matoesian (eds), *Translating the Social World for Law: Linguistic tools for a new legal realism* (Oxford University Press 2016)
[59] First Minister's Advisory Group on Human Rights Leadership Report, 14

interview participant described it, the ‘destination’ (Interview 17) that is a human rights culture? Through the eyes of the civil society practitioners who contributed to the research we also see a range of other actors who are implicated in the trajectory towards that end goal of human rights culture - the general public, community organisations at different scales, and individual and institutional human rights duty bearers. In addition, the reflections on research methodology above, and the data suggesting that the majority of participants had been prompted to think about dignity talk and its utility by the research, also place academics within this category of actors supporting the progressive development of a human rights culture. Can some or all such actors be described as human rights strategists?

Contributing to a human rights culture implies contributing to a movement towards something. Research on social movements and social movement strategy might provide relevant insights for understanding the collective nature of the actors involved in contexts of human rights practice, although this depends on how ‘social movement’ is defined.[60] In the Scottish context, there is evidence of a participatory, collaborative community engaging with human rights. This is not a ‘movement’ that can be explained only in terms of contentious politics. There is contention but there is also collaborative action with state actors. This is seen in the very constitution and work of the National Taskforce for Human Rights Leadership. The civil society research participants aimed to promote human rights, but not necessarily as an end in itself; rather as an approach that was conducive to the social justice goals that were important for their particular organisation. Vráblíková observes a lack of attention in sociological research on social movements to wider forms of political participation, such as participation channelled through civil society and advocacy organisations and actors.[61] However, after half a century of scholarly conceptualisation, ‘social movement’ has come to be understood as a fluid category[62] and this perspective is potentially valuable for understanding diverse manifestations of human rights practice.

A social movement strategy perspective would raise the profile of the idea of ‘framing’ and its link to language. To what extent can dignity talk be seen as framing in pursuit of a human rights culture? Merry refers to the idea of ‘framing’ in her research on

[60] See overview of definitions of social movements in Kateřina Vráblíková, 'Protest and Social Movements in Political Science' in Conny Roggeband and Bert Klandermans (eds), *Handbook of Social Movements across Disciplines* (Springer 2017) 50 and Ton Salman and Willem Assies, 'Anthropology and the Study of Social Movements' in Conny Roggeband and Bert Klandermans (eds), *Handbook of Social Movements Across Disciplines* (Springer 2017) 68

[61] Vráblíková, 'Protest and Social Movements in Political Science'

[62] Scott L. Cummings, 'Law and Social Movements: An Interdisciplinary Analysis' in Conny Roggeband and Bert Klandermans (eds), *Handbook of Social Movements across Disciplines* (Springer 2017) 246

transnational human rights activism. She describes framing as an intentional approach adopted by activists in order to provide interpretations of local grievances through a transnational human rights lens.[63] A 'frame' is a presentational tactic. Framing is a concept rooted in sociology research; most notably developed in social movement theory. The idea captures both a process (framing) and an outcome (frame) and is understood as 'a strategic activity'.[64] As such, this concept indicates a connection between strategy and practice that it would be interesting to look at more closely. Further, the idea of framing seems capable of holding a focus on language and the role of individual actors using language. This is relevant in the context of the present research on value-based talk. Although frame analysis may have tended to focus on the collective movement rather than the individual,[65] there is research which foregrounds the contribution of individual actors. Framing/frames can be analysed in order to understand how individuals perceive and interpret.[66] Johnston argues: 'At the epistemological rock bottom of any framing activity is the individual interpretative schema.'[67] This approach emphasises a connection between framing/frames as strategic processes/outputs and the perceptions/interpretations of individual actors. Johnston's is a cognitive linguistic approach, but other disciplinary perspectives also concern themselves with the experience and contribution of the individual within social movements, including in social psychology and anthropology.[68] In the latter, for example, one approach is to look 'for the words, distinctions and labels that the people in [a particular] society use and recognize'.[69] These less prominent perspectives focusing on the individual in frame analysis are promising for understanding the use and impact of value-based talk in the human rights practice context. Through this discussion of the human rights strategy lens I have aimed to point towards, in a non-exhaustive way, some explanatory avenues for future enquiry into human rights practice.

[63] Merry, 'Transnational Human Rights and Local Activism: Mapping the Middle'
[64] David A. Snow and others, 'The Emergence, Development, and Future of the Framing Perspective: 25+ years since "frame alignment"' (2014) 19 Mobilization: An International Quarterly 23 30
[65] Hank Johnston, 'A Methodology for Frame Analysis: From Discourse to Cognitive Schemata' in Hank Johnston and Bert Klandermans (eds), *Social Movements and Culture* (Routledge 2003) 340; Conny Roggeband and Bert Klandermans, 'Displinary Approaches to Social Movements. Introduction to Second Expanded and Updated Edition' in Conny Roggeband and Bert Klandermans (eds), *Handbook of Social Movements across Disciplines* (Second edition edn, Springer 2017) 5
[66] Johnston, 'A Methodology for Frame Analysis: From Discourse to Cognitive Schemata'
[67] Ibid
[68] See Jacquelien van Stekelenburg and Bert Klandermans, 'Individuals in Movements: A Social Psychology of Contention' in Conny Roggeband and Bert Klandermans (eds), *Handbook of Social Movements Across Disciplines* (Second Edition edn, Springer 2017); Salman and Assies, 'Anthropology and the Study of Social Movements'
[69] Salman and Assies, 'Anthropology and the Study of Social Movements'

6. CONCLUSION

In this chapter I have explored the relationship between the foundational human rights value of 'dignity' and the development of human rights culture within one context of practice. Through this focus on dignity talk, I have aimed to unpack connections between human rights law, human rights values, human rights culture, and human rights strategy, and to highlight insights for understanding how these interact. I have looked at the dignity idea not from the more usual theoretical and doctrinal perspective, but from a socio-legal perspective in the context of human rights implementation. And I have looked at value-based talk not with the aim of moving away from the language of human rights law, but as a means to understand ownership over it. The idea of localisation of international human rights law has provided the conceptual scaffolding for the questions and analysis. At the centre of the analysis has been a focus on the perspectives of individual actors within a localised human rights practice. Examining human rights practice is, as Merry writes, 'crucial to understanding the way human rights act in the contemporary world'.[70] The focus moves away from states, but this perspective is not only interested in *who* these non-state actors are; it is also interested in *how* these 'actors at the centre of the stage'[71] perceive and communicate through language in relation to human rights. I have taken a socio-legal perspective because a key part of human rights discourse is, and will remain, law (rules, doctrine, principles, and values), and the methodological suppleness of this approach allows it to draw insights from, and contribute to, a range of social scientific perspectives.

Responding to the question of whether talking about dignity can support the growth of a human rights culture through empirical data on the influence of human rights values, and on perceptions of a human rights culture, sheds light on 'strategy'. The themes discussed relate to research participants' views of the potential of dignity talk, and their views of the contribution of dignity talk to a human rights culture. As one interview participant observed, strategies and visions are shaped by what people say. Human rights strategy should be concerned with the power of language and, in particular, with the special power of dignity

[70] Merry, 'Human Rights and Transnational Culture: Regulating Gender Violence Through Global Law'
[71] Norman Long and Ann Long (eds), *Battlefields of Knowledge: The interlocking of theory and practice in social research and development* (1992) cited in Ann-Belinda S. Preis, 'Human Rights as Cultural Practice: An anthropological critique' (1996) 18 Human RIghts Quarterly 286 312

language. It should also be concerned with understanding the end goal of strategies and what they look like from the perspective of the 'strategists' involved. The data, however, also generates questions for human rights practice research that would benefit from further attention, and would be informed by further thinking through a human rights strategy lens: can civil society-governmental-academic 'coalitions' usefully be conceptualised as social movements? Can value-based talk usefully be conceptualised as a framing strategy? What are the implications thereof? In summary, I have suggested that exploring human rights strategy through the empirical lens of localised human rights practice is useful, and vice-versa.

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